REMARKS

The Examiner has rejected claims 1-6, 9-13, 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,243,353 to Nozaki et al. in view of U.S. Patent 5,867,205 to Harrison, and further in view of U.S. Patent 6,216,264 to Maze et al. The Examiner has further rejected claims 7 and 8 under 35 U.S.C. 103(a) as being unpatentable over Noaki et al. in view of Harrison and Maze et al., and further in view of U.S. Patent Application Publication No. 2003/0204848A1 to Cheng et al. In addition, the Examiner has rejected claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Noaki et al. in view of Harrison and Maze et al., and further in view of U.S. Patent Application Publication No. 2003/0012562A1 to Lawandy et al.

The Nozaki et al. patent discloses a recording/playback apparatus using recording reservation information written onto recording medium.

Harrison discloses a method and apparatus for controlling video/audio and channel selection for a communication signal based on textual information indicative of channel contents of a signal.

The Maze et al. patent discloses a scheduler apparatus employing a gopher agent.

The Examiner has indicated that Nozaki et al. discloses a recordable medium and a recording apparatus for recording programs on the recordable medium, the recording apparatus comprising a receiver for receiving receivable programs; that Harrison discloses the recordable medium comprising a pre-recorded search instruction,

and a comparator for comparing the pre-recorded search instruction on the recordable medium with program information on the receivable programs; and that Maze et al. discloses means for recording a particular one of the receivable programs on the recordable medium only if the particular one of the receivable programs matches the pre-recorded search instruction.

Applicants submit that at least with regard to Harrison, the Examiner is mistaken. In particular, the Examiner has indicated that Harrison discloses the recordable medium comprising a pre-recorded search instruction, and indicates Fig. 3, col. 3 lines 32-36 and col. 4, line 23 to col. 5, line 6.

Fig. 3 of Harrison shows a display of information entitled Personal Profile. Harrison at col. 3, lines 32-36 merely states that the profile unit 260 stores the profile information to be monitored by the tuning units 200 and the decoding units 240. Harrison, at col. 4, line 23 to col. 5, line 6, merely gives a detailed description of the sections of the profile unit and the data being stored therein. However, there is no disclosure that the profile unit 260 is part of or pre-recorded on the recordable medium. In fact, Harrison specifically states, at col. 3. lines 22-32, that the SPSU (signal processing and selection unit) 104 comprises the profile unit 260, which in Fig. 2, is shown as a separate unit connected via line 265 to the analyzing unit 250, and remote from the not shown display/record unit, which presumably records signals on a recordable medium. As such, it can only be presumed that the profile unit 260 is a memory unit in the SPSU 104

separate and distinct from the recordable medium on which the targeted programs are recorded.

Claim 7 includes the limitation "the recording apparatus further comprises a controller for checking whether a still free space on the recordable medium is sufficient to record the receivable program matching the specific type of program, for causing the recording means to record the program matching in the free space, if sufficient, or for causing the recording means to delete at least one already recorded program to free sufficient space to record the program matching the specific type of program."

The Cheng et al. publication discloses managing record events, in which a user may indicate a desire to record all programs having a particular attribute, and the apparatus searches the (EPG) guide data to find these programs and schedule (for recording) those programs matching the particular attribute.

The Examiner indicates that Cheng et al. discloses the claim 7 limitation and indicates paragraphs [0052], [0054] and [0055] therein.

Applicants submit, however, that Cheng et al. does not supply that which is missing from Nozaki et al., Harrison and Maze et al., i.e., "A system of a recordable medium and a recording apparatus for recording programs on the recordable medium, the recordable medium comprising a pre-recorded search instruction, and the recording apparatus comprising:

a receiver for receiving receivable programs;

a comparator for comparing the pre-recorded search instruction on the recordable medium with program information on the receivable programs; and

means for recording a particular one of the receivable programs on the recordable medium only if the particular one of the receivable programs matches the pre-recorded search instruction."

The Lawandy et al. publication discloses marking and authenticating articles, in which paragraph [0088] therein states:

> "The markings 432 recorded in the coating 450 are preferably visible to the unaided human eye when illuminated with suitable light. Therefore, the marking 432 can provide for clear identification of the article 420 by means of display of information that may be interpreted by a user, such as a logo. In another embodiment, such as in the case of optical media 420, a marking 432 provided on the read side can be used to display identity information, such as a digital watermark 435, wherein other necessary information, such as an instruction for a user, may remain intact on the non-read side of the optical media 420."

Applicants submit that while Lawandy et al. discloses a record carrier containing "markings", there is no disclosure or suggestion that these markings comprise the pre-recorded search instructions, as explicitly claimed in claim 14.

The Examiner states "It would have been obvious to someone having ordinary skill in the art at the time of the invention was made to modify Nozaki, Harrison and Maze references with a visible marking as taught by Lawandy to provide enhanced identification, authentication and encoding capabilities for various articles of manufacture, including media containing optical readable information. More specifically, a need exists to rapidly produce

images, text, or other optically encoded information on the read side of optical media. Further more, the method should not interfere with the performance of data readout from the optical media.(¶0015)"

Applicants submit that all the above is "nice" but not relevant to the subject invention. In particular, there is no disclosure or suggestion in Nozaki et al., Harrison and Maze et al. of a recordable medium having pre-recorded search instructions. Hence, there is no pre-recorded search instructions on the recordable medium that Lawandy et al. may use to generate the visible markings.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-17, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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